

CHARTERING OF VESSELS

*Exchange of notes at Rio de Janeiro December 7, 1942, supplementing
agreement of September 30, 1942
Entered into force December 7, 1942
Canceled by agreement of April 14, 1944¹*

Department of State files

The American Ambassador to the Minister of Foreign Affairs

No. 1536

RIO DE JANEIRO, December 7, 1942

EXCELLENCY:

I have the honor to refer to Your Excellency's note EC/AC/496 of September 30, 1942,² and to the charter parties signed on October 20, 1942, and to inform Your Excellency that my Government is pleased to sign the following agreement with Your Excellency's Government with respect to the following vessels: NORTELOIDE, SULOIDE, BAIALOIDE, PELOTASLOIDE, VITORIALOIDE, GAVEALOIDE, PIRAILOIDE, APALOIDE, RIOLOIDE, GEARALOIDE, GOIASLOIDE, RECIFELOIDE, MINASLOIDE:

The Brazilian Government will be designated as "the owner" and the Government of the United States of America as "the charterer", in accordance with the following terms:

Article 1. In consideration of the payment of \$350,000.00 (three hundred and fifty thousand dollars United States Currency) by the owner to the charterer, the charterer agrees to accept and the owner agrees to deliver to the charterer at ports mutually agreed upon in the United States of America, the following vessels: NORTELOIDE, SULOIDE, BAIALOIDE, PELOTASLOIDE, VITORIALOIDE, GAVEALOIDE, PIRAILOIDE, APALOIDE, RIOLOIDE.

Article 2. The owner undertakes to make the necessary repairs so that the vessels above referred to may sail from Brazil to the United States in a good operating and seaworthy condition.

Article 3. The charterer agrees to make all of the necessary repairs to put the said vessels in a good seaworthy condition, providing them with the classification requirements set forth in articles Nos. 2, 5, and 6 of the charter parties above referred to.

¹ *Post*, p. 983.

² *Ante*, p. 936.

Sole Paragraph. It is further agreed that all other terms and conditions of the charter parties will continue in full effect.

Article 4. The charterer agrees to insure the NORTELOIDE, SULOIDE, BAIALOIDE, PELOTASLOIDE, VITORIALOIDE, and GAVEALOIDE with the same war risk and total loss insurance protection for the period of the northbound voyage prior to the delivery in the United States of America as these vessels would receive after delivery.

Article 5. The owner agrees to comply with all of the requirements of the charter party with respect to the MINASLOIDE and the CEARALOIDE, and to deliver the two vessels to a representative of the War Shipping Administration of the Government of the United States of America at Rio de Janeiro.

It is understood that the present note and the one from Your Excellency dated today, on the same subject, will constitute a formal agreement between the Governments of the United States of Brazil and the United States of America.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

JEFFERSON CAFFERY

DR. OSWALDO ARANHA
Minister of Foreign Affairs
Rio de Janeiro

The Minister of Foreign Affairs to the American Ambassador

[TRANSLATION]

EC/AC/601/940.(00)-585.2

DECEMBER 7, 1942

MR. AMBASSADOR:

With further reference to my note EC/AC/496 of September 30, 1942, and the charter parties signed on October 20, 1942, I have the honor to inform Your Excellency that the Brazilian Government is in accord with the conclusion of the following agreement with the Government of the United States of America, with respect to these vessels: NORTELOIDE, SULOIDE, BAIALOIDE, PELOTASLOIDE, VITORIALOIDE, GAVEALOIDE, PIRAILOIDE, APALOIDE, RIOLOIDE, CEARALOIDE, GOIASLOIDE, RECIFELOIDE, MINASLOIDE.

2. In this agreement the Brazilian Government will be designated as "the owner" and the Government of the United States of America as "the charterer," in accordance with the following terms:

[For terms of agreement, see articles 15 of U.S. note, above.]

3. It is understood that this note and that of Your Excellency of today's date and of the same tenor constitute a formal agreement on the subject

between the Governments of the United States of Brazil and the United States of America.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest consideration.

OSWALDO ARANHA

His Excellency

JEFFERSON CAFFERY

*Ambassador of the United States
of America*